MINUTES - REGULAR MEETING
SANTA MARIA CITY COUNCIL

CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA

MAY 20, 2014

CALL TO ORDER:
Mayor Patino called the meeting to order at 6:00 p.m.

ROLL CALL
MEMBERS PRESENT
Councilmembers Boysen, Green, Orach, Zuniga, Mayor Patino.

STAFF MEMBERS PRESENT
City Manager Haydon, City Attorney Trujillo, and Chief Deputy City Clerk Garietz.

PUBLIC COMMENT
Mary Jacka, representing LULAC, spoke about the City's decision to approve the ICE Facility and expressed her dislike of the final decision to proceed with the project. She stated that the community was going to continue to fight against the ICE facility.

Pedro Paez also spoke against the City's decision to approve the ICE Facility.

RECESS:
Mayor Patino recessed to a Closed Session at 6:08 p.m. for 1) Public Employee Discipline/Dismissal/Release pursuant to Government Code Section 54957.

INVOCATION
Councilmember Green gave the Invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Green led the Pledge of Allegiance.

RECONVENE:
Mayor Patino reconvened the Regular City Council meeting at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Boysen, Green, Orach, Zuniga and Mayor Patino.

STAFF MEMBERS PRESENT
City Manager Haydon, City Attorney Trujillo, Director of Community Development Appel, Deputy City Manager Barnhard, Deputy City Manager Lara, Police Chief Martin, Fire Chief Orr, Director of Recreation and Parks Posada, Director of Utilities Sweet, Director of Administrative Services Visé, Director of Public Works/City Engineer Whitehead, Community Programs Manager Coelho-Hudson, Risk Manager/Business License Inspector Cashmore, Principal Civil Engineer Springer, and Chief Deputy City Clerk Garietz.

CLOSED SESSION REPORT:
City Attorney Trujillo reported that there was no reportable action.

1. PROCLAMATIONS/PRESENTATIONS:

A. PROCLAMATION – NATIONAL PUBLIC WORKS WEEK
Councilmember Zuniga read a proclamation in recognition of National Public Works Week, May 18 – 24, 2014, in the City of Santa Maria, calling upon all residents and civic organizations to acquaint themselves with the issues involved in providing public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life. The proclamation was accepted by Steve Kahn, President of the Local Chapter of the American Public Works Association.

B. POLICE DEPARTMENT VOLUNTEER OF THE MONTH
Peter Burgett was recognized as the Police Department's Volunteer of the Month for the month of May 2014. Councilmember Orach presented a certificate and plaque to Mr. Burgett thanking him for his 14 years of service logging in over 4,000 hours of volunteer time.

C. PRESENTATION – "GOING THE EXTRA MILE" (GEM) AWARD
City Manager Haydon presented the City's Going the Extra Mile (GEM) Award to Lt. Dan Cohen for going above and beyond the call of duty, demonstrating initiative, and creativity in brainstorming and producing the Santa Maria Police Department's juvenile gang prevention documentary film "Life Facing Bars." A trailer of the documentary was shown to those in attendance.

Police Chief Martin remarked that the video has been incorporated into training programs in the Caribbean and was overwhelmingly accepted. Chief Martin went on to say that Lt. Cohen's passion to help people is remarkable and he has shown great leadership.

Lt. Cohen thanked the Council and Chief Martin for embracing the idea of the video. He also thanked the Santa Barbara Foundation and the Police Council for their financial contributions.

2. PUBLIC COMMENT PERIOD:
Ruth Abram said she is having problems with tree roots damaging her property. City Manager Haydon responded he would ask a representative from Public Works to contact her to resolve the issue.

Christy Laschiver, representing Town Center Mall Farmer's Market, asked for the City's assistance in funding advertising to promote the Farmer's Market. She asked for ideas about how her group could raise $4,800 to initiate a radio ad campaign.

Varden Nonella, representing Town Center Farmer's Market, acknowledged the amount of time the Farmer's Market coordinators have spent putting together the event and reiterated the need for better promotion.

James Peterson, President of the Santa Maria Breakfast Rotary Club, spoke about the relationship that the Rotary Clubs of Santa Maria have had with the City and thanked the City Council in advance for their support of the updated agreement with the Rotary Centennial Foundation.

Judith Monte congratulated and thanked the City Council for continuing to begin Council meetings with an Invocation.

3. CONSENT CALENDAR:
Councilmember Boysen recused himself from voting on Items 3D (Warrants) and 3F (Annual Action Plan) due to a financial conflict of interest, and requested that Item 3K be pulled for comment.

Councilmember Zuniga requested that Items 3G, 3K, and 3O be pulled for comment.

Item 3K – Rotary Centennial Agreement
Councilmember Boysen remarked on what a great public/private partnership the Rotary Centennial park agreement has been and indicated his full support for the agreement amendment item. He said he hopes another organization will adopt Buena Vista Park the way that Rotary has adopted Centennial Park.

Councilmember Orach thanked Frank Ortiz for starting the Rotary Centennial collaboration.

Councilmember Zuniga thanked Business Services Manager Ms. Reyburn for her help coordinating the agreement. She also acknowledged the Rotary Centennial Foundation.

Mayor Patino commented on the Concerts in the Park held at Centennial Park and her appreciation for the Rotary Clubs of Santa Maria.

Item 3G – Surplus Fire Engine
Councilmember Zuniga acknowledged Fire Chief Orr and thanked him for recommending the transfer of the fire engine to the Guadalupe Fire Department.

Item 3O – Alamo Farming Agricultural Lease
Councilmember Zuniga asked if the lease amount was the same as it had been since 2004 and if the rate was favorable.

Director of Utilities Sweet responded the lease was not a very favorable lease and that is why it was being approached in this manner. It is a four (4) month lease with a two (2) month option to extend. He stated that he believed it was at a good market rate. The money will go into the Water Resources Fund.

Consent Calendar Items 3A through 3O (except Items 3D and 3F) were approved on motion by Councilmember Boysen, seconded by Councilmember Orach, and carried on the following vote: 5-0

AYES: Councilmembers Orach, Green, Boysen, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Consent Calendar Items 3D and 3F only were approved on motion by Councilmember Orach, seconded by Councilmember Zuniga, and carried on the following vote: 4-0-1.

AYES: Councilmembers Green, Orach, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: Councilmember Boysen.

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of May 6, 2014 were approved as submitted.

C. CONFLICT OF INTEREST CODE AMENDMENT
Resolution No. 2014-44 was adopted amending Appendix A of the City of Santa Maria's Conflict of Interest Code to add the Engineer I/II and Project Manager classifications approved by budget amendment.

Resolution No. 2014-44 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING APPENDIX "A" OF THE CONFLICT OF INTEREST CODE FOR DESIGNATED FILERS OF THE CITY OF SANTA MARIA.

D. WARRANTS.
Warrant Nos. 186294 to 186512 totaling $2,885,173.98 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 185651, 185852, and 185944 were cancelled.

E. PAYROLL.
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

F. 2014-15 ANNUAL ACTION PLAN FOR CDBG/HOME FUNDS.
Resolution No. 2014-45 was adopted approving the Annual Action Plan for 2014-15 for the use of Federal funds under the Community Development Block Grant Program and the HOME Investment Partnerships Program.

Resolution No. 2014-45 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE ANNUAL ACTION PLAN FOR FISCAL YEAR 2014-15 FOR THE USE OF FEDERAL FUNDS UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND THE HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAM.

G. SALE OF SURPLUS FIRE ENGINE
Resolution No. 2014-46 was adopted declaring a 1995 Hi-Tech Pumper, Unit 225 (Lic. #E035760), as surplus equipment and approving its transfer to the Guadalupe Fire Department for use as a reserve engine.

Resolution No. 2014-46 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE SALE OF A SURPLUS FIRE ENGINE TO THE CITY OF GUADALUPE.

H. NO STOPPING ZONE
Resolution No. 2014-47 was adopted repealing Resolution No. 2010-97 to remove the passenger loading zone and propose establishment of no-stopping zones on Bethel Lane at the intersection of El Medio Road pursuant to Section 7-5.16 of the Santa Maria Municipal Code.

Resolution No. 2014-47 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, REPEALING RESOLUTION NO. 2010-97 TO REMOVE THE PASSENGER LOADING ZONE AND ADOPT THE ESTABLISHMENT OF NO-STOPPING ZONES ON BETHEL LANE AT THE INTERSECTION OF EL MEDIO ROAD PURSUANT TO SECTION 7-5.16 OF THE SANTA MARIA MUNICIPAL CODE.

I. NO STOPPING ZONE
Resolution No. 2014-48 was adopted removing the two-hour limited time parking with tow-away and establishing a no-stopping zone on North Russell Avenue at the intersection of West Main Street/SR-166.

Resolution No. 2014-48 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, REMOVING TWO-HOUR LIMITED TIME PARKING WITH TOW-AWAY AND ESTABLISHING A NO-STOPPING ZONE ON NORTH RUSSELL AVENUE AT THE INTERSECTION OF WEST MAIN STREET/SR-166 PURSUANT TO SECTION 7-5.16 OF THE SANTA MARIA MUNICIPAL CODE.

J. NO STOPPING ZONE
Resolution No. 2014-49 was adopted establishing no-stopping zones at East Alvin Avenue at the intersection of North Vine Street.

Resolution No. 2014-49 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING NO-STOPPING ZONES ON EAST ALVIN AVENUE AT THE INTERSECTION OF NORTH VINE STREET PURSUANT TO SECTION 7-5.16 OF THE SANTA MARIA MUNICIPAL CODE

K. ROTARY CENTENNIAL PARK AGREEMENT
Resolution No. 2014-50 was adopted updating the original agreement between the Recreation and Parks Department and the Rotary Centennial Foundation to include information regarding volunteer labor, potential grant opportunities, Rotary events, and permit fees.

Resolution No. 2014-50 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AN AGREEMENT BETWEEN THE CITY OF SANTA MARIA AND THE ROTARY CENTENNIAL PARK FOUNDATION.

L. INTENT TO ANNEX PARCELS INTO LANDSCAPE MAINTENANCE DISTRICTS
Resolution No. 2014-51 was adopted expressing intent to annex Asphalt/Heavy Equipment Storage, Lineage Logistics, and Steve Zaritsky Recycling Facility into the Southwest Landscape District, and Newlove Apartments into the Southeast Landscape District.

Resolution No. 2014-51 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, INITIATING PROCEEDINGS AND DECLARING THE INTENTION TO ANNEX TERRITORY TO ASSESSMENT DISTRICTS, PURSUANT TO THE "LANDSCAPE AND LIGHTING ACT OF 1972" (ASPHALT/HEAVY EQUIPMENT STORAGE; LINEAGE LOGISTICS; STEVE ZARITSKY RECYCLING FACILITY AND NEWLOVE APARTMENTS)

M. LANDSCAPE MAINTENANCE DISTRICTS
Resolution No. 2014-52 was adopted approving the Engineer's Reports for Assessment Proceedings. Resolution No. 2014-53 was adopted declaring the intent to levy and collect the property tax assessments for each of the four Landscape Maintenance Districts and the 21 Special Benefit Zones, and setting a public hearing for July 1, 2014, to consider the proposed landscape assessments.

Resolution No. 2014-52 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE ENGINEER'S REPORTS FOR ASSESSMENT PROCEEDINGS.

Resolution No. 2014-53 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON FOR THE FOUR LANDSCAPE MAINTENANCE DISTRICTS AND 21 SPECIAL BENEFIT ZONES.

N. OPTION AGREEMENT WITH NKT INVESTMENTS, LLC
Resolution No. 2014-54 was adopted authorizing and directing the Director of Utilities, or his designee, to enter into Amendment No. 1 to extend the option period for seven months with NKT Investments, LLC.

Resolution No. 2014-54 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE EXTENSION OF THE OPTION AGREEMENT WITH NKT INVESTMENTS, LLC.

O. LEASE AGREEMENT WITH ALAMO FARMING CO. INC
Resolution No. 2014-55 was adopted authorizing and directing the Director of Utilities, or his designee, to enter into an Agricultural Lease Agreement with Alamo Farming Co. Inc., for the use of 227 acres of City-owned property for farming at the corner of West Stowell and Black Road, and enter into future extensions and amendments to the agreement, consistent with the original terms thereof.

Resolution No. 2014-55 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AN AGRICULTURAL LEASE AGREEMENT WITH ALAMO FARMING CO. INC.

REGULAR BUSINESS:

4. BUSINESS LICENSE FEE ADJUSTMENT. Director of Administrative Services Visé gave a presentation as detailed in the Council Agenda Report. In 1984, the City Council passed Resolution No. 84-786 reducing business license taxes by 50 percent. The City currently receives approximately $300,000 annually in business license taxes, a considerably lower amount than surrounding cities. The City of Santa Maria has not adjusted its business license tax revenues since 1984 and, since that time, the consumer price index has risen over 230 percent. Staff is proposing to repeal Resolution No. 84-786, thus, increasing the business license taxes to the level prior to the 50 percent reduction.

Staff also recommends adjusting the business license tax to 75 percent of the maximum Municipal Code prescribed rates effective July 1, 2014, and then back to the pre-1984 full Municipal Code prescribed amounts effective July 1, 2015. The phased in business license tax rate adjustment will have a modest impact on the business community and will generate an additional $150,000 each year over the next two fiscal years.

Public Input
There were no requests to speak.

Written Communications
Chief Deputy City Clerk Garietz addressed the Council indicating that one written communication was received from Jim Armendariz representing the Santa Barbara County Technology and Industry Association. The letter opposed the increase stating the fact that the City had not increased business license fees in 30 years was not justification to raise the fees now, and was a more compelling reason to eliminate the tax entirely. It also stated concern for the unemployment rate and noted businesses did not need an increase in the cost of doing business at this time.

Council Discussion
Councilmember Boysen asked what the reaction was from the Santa Maria Valley Chamber of Commerce regarding raising business license fees.

Mr. Visé responded the Chamber was supportive of the increase and believed that if a business could not afford to pay these fees, it probably could not sustain itself for very long.

Councilmember Zuniga said she believed the fees to be very reasonable.

Councilmember Orach compared City expenses in 1984 to City expenses in 2014, and pointed out the need to increase fees to help offset some of the expense. He said he supported approving the increase.

City Manager Haydon indicated that a one night's stay at a hotel in Santa Maria would pay for the annual business license rate for the year.

Councilmember Green commented that he was surprised the fees had not been increased since 1984 and he supported the increase.

Mayor Patino asked why the fees were reduced by 50 percent back in 1984.

City Manager Haydon said it was unclear what prompted the reduction.

Resolution No. 2014-56 was adopted repealing Resolution No. 84-786 and providing for business license rate adjustments not to exceed the maximum rates set forth in Chapter 4-3 of the Santa Maria Municipal Code on motion by Councilmember Boysen, seconded by Councilmember Zuniga, and carried on the following 5-0 vote:

AYES: Councilmembers Boysen, Green, Orach, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2014-56 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, REPEALING RESOLUTION NO. 84-786 AND PROVIDING FOR BUSINESS LICENSE RATE ADJUSTMENTS NOT TO EXCEED MAXIMUM RATES SET FORTH IN CHAPTER 4-3 OF THE SANTA MARIA MUNICIPAL CODE.

REPORT BY CITY MANAGER:
City Manager Haydon reported on items expected for the June 3, 2014 City Council meeting. Items will include: the 2014-2016 Budget distribution setting the Public Hearing for June 17, 2014; updating the priorities list for the underground utilities district; commendations for retiring Deputy City Manager, Alicia Lara, and retiring Director of Public Works, David Whitehead; All-America City Committee Appointments; an initiation of a Downtown Specific Plan Amendment item; and the first reading of an Aggressive Panhandling Ordinance.

Mr. Haydon announced the City was currently accepting applications for five (5) expiring terms on the Block Grants Advisory Committee. He also announced there is one (1) opening on the Library Board of Trustees; and the Commission for Senior Citizens, Area Agency on Aging. He referred interested applicants to the City's website for an application. Mr. Haydon also invited all to visit the Police Services page on the City's Website to view the film, *Life Facing Bars*.

ORAL REPORTS OF COUNCILMEMBERS AND OFFICERS (INCLUDING AB1234 REPORTS):
Councilmember Zuniga reported that she attended the Southwest Town Hall meeting and wanted to thank Church for Life for hosting the meeting; the Northern Santa Barbara Economic Summit; the Police Officers Memorial; the First Annual Movies in the Park; and she reminded everyone about the Special Olympics fundraiser being held May 21 at The Rock Seafood & Grill.

Councilmember Orach reported that he attended the Southwest Town Hall Meeting; the Northern Santa Barbara Economic Summit; and the Police Council's recent golf tournament.

Councilmember Green reported that he attended the homecoming of a Marine and presented a Proclamation in recognition of his service; the tourism luncheon at the Far Western honoring Bob Hatch; the Elks Lodge Student and Citizen of the Year dinner; the Southwest Town Hall meeting; and the Police Officers Memorial event.

Councilmember Boysen reported that he attended the Community Action Committee's Annual Champions dinner honoring Tom Parker, Phil Alvarado, and Gayle Pratt; and the quarterly Investment Oversight meeting. He also commented that he was within half a mile of the Lompoc fire when it started. It reminded him of the need to create emergency evacuation plans for people in need. He also spoke at the opening of the Santa Maria Levee in place of Mayor Patino and attended the Allan Hancock college architecture presentation of ideas for the Downtown Specific Area.

Mayor Patino reported that she attended the Elks Student of the Month and Citizen of the Year dinner; the Southwest Town Hall meeting; the North Santa Barbara County Economic Summit; the Police Officers Memorial event; the Police Council golf fundraiser and dinner; the tourism luncheon at the Far Western; and the SBCAG and APCD meeting.

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ADJOURNMENT:
There being no further business before the City Council, Mayor Patino declared the City Council meeting adjourned at 7:40 p.m. in memory of Bob Sevears, former Executive Director of the Chamber of Commerce.

APPROVED:

June 3, 2014
Date

M. Beth Cleary for
Rhonda M. Garietz, CMC
Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

Alice M. Patino
Mayor of the City of Santa Maria

ATTEST:

M. Beth Cleary for
Rhonda M. Garietz, CMC
Chief Deputy City Clerk